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POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

UNITED STATES OF AMERICA
POSTAL RATE COMMISSION
WASHINGTON, D.C. 20268

PRESIDING OFFICER'S
RULING NO. R97-1/115

Postal Rate and Fee Changes

Docket No. R97-1

PRESIDING OFFICER'S RULING
SETTING THE DATE FOR RESPONSES TO
POSTAL SERVICE MOTION TO STRIKE DOCUMENT
AND RELATED QUESTIONING FROM THE
TRANSCRIPT AND THE EVIDENTIARY RECORD

(March 25, 1998)

A Restatement of Objection by the United States Postal Service and Motion to Strike the Transcription, Acceptance into Evidence, and Questioning of Witness Porras Concerning the Purported Strategy Document Found Within Electronic Version of Exhibits Voluntarily Provided to the Commission was filed on March 24, 1998. In support of its motion, the Postal Service contends that no foundation was laid for the admission of the "strategy document," it is subject to protection under the work product privilege, and its use would be inconsistent with the Postal Service's due process interests and principles guiding the conduct of litigation.

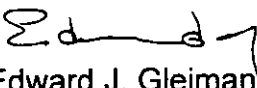
Prompt treatment of the issues raised by the Postal Service is important as this case is approaching its final stages. For this reason, I will shorten the time for responses to the Postal Service motion. Answers will be due by March 30, 1998.

Initial briefs in this case are due April 1, 1998. Therefore, the ruling on this motion will be unavailable to parties preparing briefs. Any participant choosing to rely on materials subject to the Postal Service motion to strike are on notice that the Commission's ruling on that motion may undermine arguments premised in whole or in

part on these materials. In this situation, arguments offered in the alternative will not be viewed with disfavor by the Commission.

RULING

Answers to the Motion to Strike the Transcription, Acceptance into Evidence, and Questioning of Witness Porras Concerning, the Purported Strategy Document Found Within Electronic Version of Exhibits Voluntarily Provided to the Commission, filed March 24, 1998, are to be filed on or before March 30, 1998.


Edward J. Gleiman
Presiding Officer

